

4128. Misbranding of "Sayman's Vegetable Liniment Compound." U. S. v. Thomas M. Sayman. Plea of guilty. Fine, \$50 and cost. (F. & D. No. 6078. I. S. No. 9630-e.)

On March 11, 1915, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas M. Sayman, St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about September 11, 1912, from the State of Missouri into the State of Maryland, of a quantity of "Sayman's Vegetable Liniment Compound" which was misbranded. The product was labeled: (On carton) "50¢ Sayman's Vegetable Liniment Compound Alcohol 57%, Chloroform 26 Min. To each Fluid Ounce, in combination with Fluid Extract Siempre Viva, Camphor, Vegetable Essential Oils, Aromatic Spts. and other Valuable Ingredients. For Internal or External Use. This preparation is a valuable remedy for the treatment of the following diseases: Rheumatism, Neuralgia, Sprains, Lameness, Cuts, Bruises, Ulcers, Fever Sores, Cankered Sore Mouth, Sore Nipples, Sore Throat, Coughs, Colds, Hoarseness, Croup, Whooping Cough, Diphtheria, Headache, Toothache, Earache, Catarrh, Catarrhal Deafness, Cramp Colic, Cholera Morbus, Painters' Colic, Scalds and Burns, Lamé Back, Inflammation of the Kidneys, Retention of Urine, Diarrhœa, Dysentery, Bloody Flux, Frosted Feet or Chilblains, Swellings, Goiter, Bites and Stings of Insects, Mad Dogs and Venomous Reptiles. Recommended for Colic in Horses, Kidney and Bladder Troubles. Price 50 cents. Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 1622. Prepared at the Laboratory of Dr. T. M. Sayman, Removed June 9th, '94 to St. Louis, Mo." (On back of carton) "Sayman's Vegetable Liniment Compound Contains the Extracts of the Mexican Siempre Plants (meaning 'Always Life') together with other ingredients of equal medicinal value. While I do not claim that my patrons will live forever by using this Liniment, yet I can assure you that the many unasked-for letters I am continually receiving from satisfied users of Sayman's Liniment proves its remarkable value as a reliever of pain. Sayman's Vegetable Liniment Compound For Internal or External Use Is composed of constituents of The Highest and Purest Grade. It is very penetrating in its nature, hence is an excellent remedy for the treatment of Inflammations, Swellings, Sprains, Bruises and other injuries. It is just the article needed in every family for use in cases of emergency and accidental injury. No Household Should Be Without It. Guaranteed to give entire satisfaction, if used as directed, or your money refunded. Sold By Agents. Read and follow the Illustrated Directions for Use which accompany each bottle." (On sides of carton) "Save Money Prepare your own Cough Medicine Free from Opium, Cocaine, Creosote or any of their poisonous Alkaloids. See Directions on the Inside. For the Relief of Coughs, Colds, Hoarseness, Soreness and Tightness in Chest, Difficult Breathing, Sore Throat and Croup. To eight ounces of syrup made from Rock Candy or Granulated Sugar, add one teaspoonful of Sayman's Vegetable Liniment Compound. Shake well together. Dose for Adult: One tablespoonful. Children in proportion to age. Four 25 Cent Bottles of Cough Medicine can be made in this way for 6 cents. Try it. Our Agents will show you how to make it. Our Agents will show you the various ways in which Sayman's Vegetable Liniment Compound may be used in cases of Rheumatism, Sprains, Lameness, Coughs, Colds, and Catarrh. Agents make no charge for information or advice. Talk this over with our Agents. The treatment of Catarrh and Hay Fever has been the theme and study of the professional world for years, while the ravages of the disease have spread to an alarming extent,

until it lurks in every household and clings to each hearthstone. Catarrhal Sufferers, let me recommend the use of Sayman's Vegetable Liniment Compound. To get its beneficial effects, following the directions closely. Try it. Don't Neglect That Catarrh. See Full Directions and Valuable information on the Inside Wrapper. Why monkey with Catarrh for delays are dangerous. Commence treatment." (On bottle) "Serial No. 1622. Sayman's Vegetable Liniment Compound Alcohol 57%, Chloroform 26 Min. to each Fluid Ounce, in combination with Fluid Extract Siempre Viva, Camphor, Vegetable Essential Oils, Aromatic Spts. and other Valuable Ingredients. For internal or external use. This preparation is a valuable remedy for the treatment of the following diseases: Rheumatism, Neuralgia, Headache, Catarrh, Deafness, Toothache, Sore Throat, Croup, Lamé Back, Stiff Joints, Pains in the Side and Back, Cholera Morbus, Colic, Inflammation of the Kidneys, Diarrhoea, Fever and Ague, Congestive Chills, Sprains, Bruises, Burns, Frost Bites, Stings of Insects, Sore Nipples and Caked Breast. Full Directions for use with accompanying circular. Price 50 Cts. A Bottle. Prepared at the Laboratory of Dr. T. M. Sayman, St. Louis, Mo." (Blown in bottle) "The Sayman Products are Supreme, Dr. T. M. Sayman St. Louis, Mo." The circulars or pamphlets accompanying the product contained, among other things, the following: (Salmon colored circular) "FOR Rheumatism, Neuralgia, Sprains, Lameness, Cuts, Bruises, Ulcers, Fever Sores, Sore Eyes and Cankered Sore Mouth, Sore Nipples, Sore Throat, Croup, Whooping Cough, Diphtheria, Catarrh, Headache, Toothache, Earache, Catarrhal Deafness, Cramp, Colic, Cholera Morbus, Painters' Colic, Scalds and Burns, Lamé Back, Inflammation of the Kidneys, Retention of Urine, Diarrhoea, Dysentery, Bloody Flux, Frosted Feet or Chilblains, Swellings, Tumors, Goiters, Bites and Stings of Insects, Mad Dogs and Venomous Reptiles. Recommended for Colic in Horses, Kidney and Bladder Troubles." (Yellow colored circular) "The Great Household Panacea * * * For the Relief of all Aches and Pains." "For Sudden Attacks of Dysentery, Diarrhoea, Cramp, Colic or Pain in the Stomach, Rheumatic Ailments or Paralysis." "An Effective Antidote for Bites and Stings from Poisonous Insects, Rabid Dogs and Reptiles." "Lamé Back or Inflammation of the Kidneys, Painful Menstruation—Bathe the back freely with Sayman's Vegetable Liniment morning and night for thirty minutes. Lay on Hot Packs or Cloths, bind them to the back, allow them to stay all night, and take ten to twenty drops of Sayman's Vegetable Liniment internally." "For Granulated Lids, Sore, Tired and Inflamed Eyes, or where the eyes become irritated from catching cold or from being exposed to wind, irritating substances like dust, etc., aching or tired feeling from the use of glasses, overwork or excessive reading, eyestrain—Spray the Eyes from 2 to 6 times daily with 1 teaspoonful of Catarrh wash, full strength, to 1 ounce or tablespoonsful water that has been boiled." "Catarrh Wash and How to Make It.—One tablespoonful of Sayman's Vegetable Liniment Compound, to which must be added 8 tablespoonsful of glycerine, 1 tablespoonful table salt. Place the above in an 8-ounce bottle, adding the ingredients as per order. Fill up the remainder with boiled or distilled water in a quantity sufficient to make 8 ounces of the liquid. Shake well until thoroughly dissolved and strain the entire contents through a fine cloth or absorbent cotton in order to remove all the little particles; replace in the 8-ounce bottle and it is ready for use."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the product to be essentially a hydroalcoholic solution of

camphor, chloroform, capsicum, oil sassafras, ammonia, and plant extractive; it contained 62.0 per cent by volume of alcohol, and 18.85 minims per fluid ounce of chloroform; the presence of turpentine was indicated.

Misbranding of the product was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On bottle) "This preparation is a valuable remedy for the treatment of the following diseases: * * * Deafness * * * Fever and Ague, Congestive Chills * * *," (On carton) "This preparation is a valuable remedy for the treatment of the following diseases: Rheumatism * * * Croup, Whooping Cough, Diphtheria * * * Catarrh, Catarrhal Deafness * * * Painters' Colic * * * Inflammation of the Kidneys * * * Dysentery, Bloody Flux * * * * * Goiter * * *," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a valuable remedy for deafness, fever and ague, congestive chills, rheumatism, croup, whooping cough, diphtheria, catarrh, catarrhal deafness, painters' colic, inflammation of the kidneys, dysentery, bloody flux, or goiter; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for deafness, fever and ague, congestive chills, rheumatism, croup, whooping cough, diphtheria, catarrh, catarrhal deafness, painters' colic, inflammation of the kidneys, dysentery, bloody flux, or goiter. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, included in the circulars or pamphlets aforesaid, to wit, "The Great Household Panacea * * * For the Relief of all Aches and Pains," "For Sudden Attacks of * * * Paralysis," "An Effective Antidote for Bites * * * from Rabid Dogs * * *," "* * * Inflammation of the Kidneys, Painful Menstruation—Bathe the back freely with Sayman's Vegetable Liniment * * * and take ten to twenty drops * * * internally," "Sayman's Liniment relieves Croup in 15 to 30 Minutes," "For Granulated Lids, Sore * * * and Inflamed Eyes * * * Spray the Eyes * * * with Catarrh Wash * * * * *," were false and fraudulent in that, by means of the said circulars or pamphlets, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a panacea for the relief of all aches and pains and effective as a remedy for sudden attacks of paralysis and effective as an antidote for bites of rabid dogs, and effective as a remedy for inflammation of the kidneys, and painful menstruation, and effective for the relief of croup, in from fifteen to thirty minutes, and effective as a remedy for granulated lids, sore and inflamed eyes, when used in the form of a catarrhal wash according to directions contained in the said circular; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a panacea for the relief of all aches and pains, or effective as a remedy for sudden or other attacks of

paralysis, or effective as an antidote for bites of rabid dogs, or effective as a remedy for inflammation of the kidneys or painful menstruation, or effective for relieving croup in from fifteen to thirty minutes, or at all, or effective as a remedy for granulated lids, sore, or inflamed eyes, when used in the form of a catarrhal wash according to the directions contained in the circular or when used in any other manner.

On May 20, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*